Welcome!!!!

October 2004

CM/ECF
Training for
Staff
Supporting
Technology

Objectives

At the conclusion of this session attendees should know the following:

- ➤ Know what CM/ECF and PACER is, how it's accessed, and who can access.
- > Know what hardware and software is needed.
- Understand what training will be available.
- Understand what support will be provided by the court and what support is needed in the office.

CM/ECF

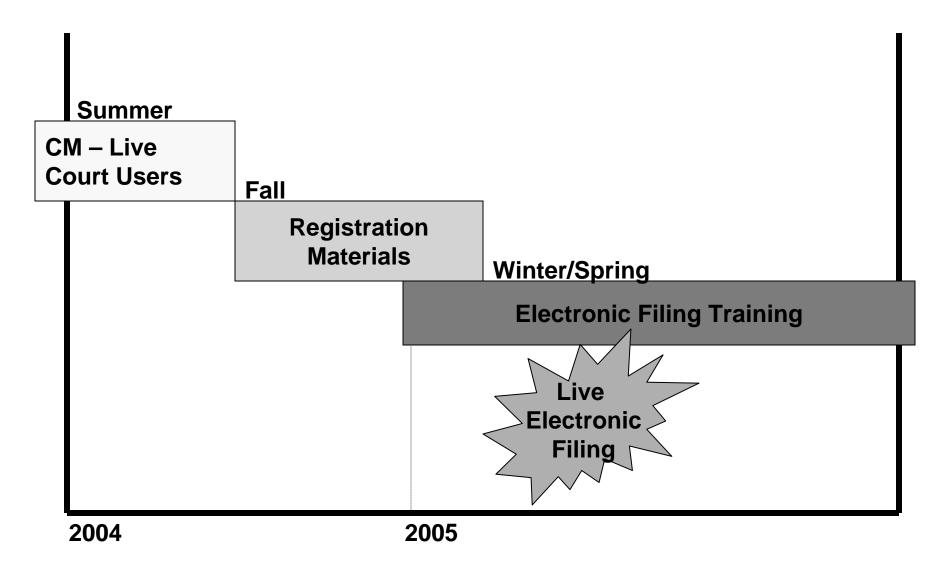
CM/ECF is the acronym for

- Case Management/Electronic Case Files
 - ➤ Case Management (CM) is the court's enterprise case management system replacing the current Integrated Case Management System (ICMS)
 - ➤ Electronic Case Files (ECF) is the subset system to CM that allows attaching Portable Document Format (PDF) documents into the Case Management system.

Why CM/ECF

- > Provides a new and updated case management system for the federal courts (CM).
- Replaces aging national systems (BANCAP, NIBS, ICMS, etc.)
- ➤ Allows for electronic filing and management of electronic documents (ECF)

CM/ECF Project Timeline - Civil





The 'M' Word

- ➤ ECF will be the standard way of doing business with the U.S. District Court of Colorado.
- > There will be exceptions such as pro se and pro se prisoner cases.
- Attorneys will have the ability by motion to ask the court to be deferred from filing electronically at this time.

Benefits of Using CM/ECF

- ➤ The CM/ECF application is accessible from any computer with access to the Internet.
- ➤ Virtually 24/7 access to documents, and query case information.
- > Case information is **Current (real time)**, not 24 hours behind for both CM/ECF and PACER.
- > Access to files concurrently with chambers, court staff, and other attorneys.
- ➤ Ability to download, print, or save documents directly from the court's CM/ECF system.

Benefits of Using CM/ECF (Continued)

- > A "Free look" at the document filed.
- > Real time notification via e-mail on documents filed.
- > Can have multiple e-mail addresses receiving the Notification of Electronic Filing (NEF).
 - ➤ The number of e-mail addresses is dependent on the number of characters for the e-mail address.
 - > There is 255 character limit for e-mail addresses
- > Reduction or elimination of courier/runner costs.
- > Secured document storage (no misplaced paper files)
- > Easy to learn

How is CM/ECF Accessed

- > CM/ECF is a browser based application.
 - > CM/ECF can be accessed via the Internet using a number of browser applications such as:
 - ➤ Netscape Navigator (4.7x or greater, should avoid 6.x)
 - ➤ Internet Explorer (5.x or greater)
 - > Others such as Mozilla, Opera, and Sarfari may work but have not been tested by the Judiciary's Testing Center
 - > The URL Address to ECF/PACER site for Colorado

CM/ECF Costs

- > There are no additional costs to use CM/ECF
 - > Existing statutory filing fees are still required
 - > There is no fee to obtain a CM/ECF Login
 - > There are no maintenance or annual fees
 - > After the "Free Look", PACER charges do apply

PACER Costs and Billing

- > PACER is a browser based application and uses the same login screen as ECF. Based upon the login, the appropriate menu options are displayed to the user.
- > PACER charges are established by the Judicial Conference
- > Current charges are:
 - > \$0.07 per page. The per page charge applies to the number of pages that results from any search, including a search that yields no matches (one page for no matches.) The charge applies whether or not pages are printed, viewed, or downloaded
 - > Billed quarterly by the PACER Service Center
 - > Quarterly bills are sent out when \$10.00 in charges are accrued.

CM/ECF vs. PACER They have the same login screen

- ECF is the "filing" side of the system
 - > Attorneys must register with the specific court to obtain an ECF login
 - Access to ECF is based upon court specific logins
 - > Each attorney login can be logged on only once. Multiple logins are not permitted.
 - > The menu options will be displayed based upon the login being used

- > PACER is the query and reports side of the system
- Attorneys must register via the PACER Service Center. Can have one login per firm or individual logins
- PACER logins are uniform across court districts
- A single PACER login can be simultaneously logged on.
- > The menu options will be displayed based upon the login being used

Who Can Access CM/ECF in the District of Colorado

> Attorneys registered with the US District Court, District of Colorado

- > Each login is unique
- > Multiple logins with the same login is not permitted
- > The login for the District of Colorado will not be the same for other district or bankruptcy courts as each court establishes login formats.

Let's See How it Works

Hardware

- Recommended
- Pentium class or equivalent PC running Windows98 or higher with 64MB of RAM.

-01-

G3/G4 Macintosh running System 9 or higher with 64MB of RAM.

Bottom Line

A computer with enough capacity (Based upon other CM/ECF users' feedback, 512 MB of RAM and a newer version of Windows (Windows 2000, Windows XP) will perform better

- > Hardware (continued)
- Scanner/Scanning
 - ➤ There will be occasions where a document is not available electronically and must be scanned. Examples are titles, leases, stock certificates, or documents where a hand signature is required.
 - > To get those type of documents created as a PDF, they must be scanned as an image and saved as a PDF document.

The bottom line:

Ability to scan document(s) and save as a PDF document. It's also important to check or set the dpi scanning resolution to 200 dpi.

> Software

- **Web Browser** software Netscape Navigator 4.7x or greater or Internet Explorer 5.5 or greater.
- Adobe Reader 6.0 (The Adobe Reader is required to be able to open/read PDF documents. Since Adobe Reader only opens PDF documents, you can also save the PDF document to a storage medium such as your hard drive. You <u>CANNOT</u> create a PDF document from Adobe Reader.)
- Adobe Acrobat **Writer** 4.0 or higher, pdfFactory or other PDF **creation** software to be able to create a PDF document to be used for filing of documents electronically.
- Word Processing software to create pleadings and the ability to create a WordPerfect formatted document for proposed orders.
- **E-mail account(s)** and software to receive and send e-mail.

Bottom Line

A Browser, Adobe Reader, PDF Creation Software, Word Processing Software, E-mail Capability

Internet Access

- Along with the computer and software, you will need a means to access the Internet via a browser.
- Typical Internet access:
 - A dial up phone connection will work (but slow)
 - DSL (Digital Subscriber Line)
 - > Cable modem
 - > ISDN (Integrated Services Digital Network)
 - > T-1 line

Bottom Line

Consider a higher speed connection such as (Cable, DSL, ISDN, T1).

Attorney Training (continued)

Classroom Training:

> Classroom training is estimated to be approximately two hours in length.

Computer Based Training (CBT)

Attorneys can access **Computer Based Training (CBT)** modules for the CM/ECF application from the court's website. Although, the material is more generic, logging on, filing a pleading, and other electronic filing processes are presented. The CBTs can be accessed at:

http://www.cod.uscourts.gov/cmecf frame.htm

User Manual

A court developed **User Manual** will be available on the Internet to provide information on access, logging in, filing a pleading, the **N**otice of **E**lectronic **F**iling (NEF), etc.

> Train-the-Trainer.

For medium to larger size firms that have a training department, the court is willing to Train-the-trainer so the firm's training staff will be able to train any number of staff within their own organization.

Attorney Training

- > What attorneys are taught
 - ➤ Access to the CM/ECF database
 - ➤ b. Logging on to the CM/ECF application
 - > c. Filing a pleading to a case and uploading the pleading as a PDF document
 - ➤ d. Reviewing the Notice of Electronic Filing (NEF)
 - > e. Query and Reports

Logins for CM/ECF and PACER

- Obtaining an ECF Login
 - > Registration form available for practitioners
 - Forms will be available on the court's website: http://www.cod.uscourts.gov/cmecf frame.htm
 - An ECF login will allow practitioner to:
 - > file pleadings
 - > receive e-mail notifications of activity in cases they are involved in or interested in.

Obtaining a PACERLogin

Attorneys must register via the PACER Service Center.

http://pacer.psc.uscourts.gov

- > Can have one login per firm or individual logins
- ➤ A PACER login will allow practitioner to access electronic court information such as:
- > Docket sheets
- > Case information
- > Electronic documents (PDFs)
- Various reports and case queries.

ECF Logins and Fed.R.Civ.P. 11

- > ECF Logins allow for the filing of various pleadings with the Court
 - > When attorneys register for an ECF Login, they agree that:
 - Use of their ECF Login serve as the Filing User's signature on all electronic documents filed with the court. They also serve as a signature for purposes of Fed.R.Civ.P. 11, the Federal Rules of Civil Procedure, the local rules of this court, and any other purpose for which a signature is required in connection with proceedings before the court.
 - > The attorney is considered to be the filer, regardless of who actually performs the logging in and and filing process.

> Bottom Line

- > The **Login** is the **KEY**.
- > The attorney registered with the Login used IS considered to be the person filing the document.
- ➤ The /s/ "electronic signature" should be on the document. However, if it DOES NOT match the attorney logging on, the login is considered the filer of record.

Support

From the Court

- > Web site
- > Helpdesk
- > E-mail
- Newsletters and/or user forums

At your Office

- Browser set up management
- > E-mail management
- Office Policy and Procedural questions
- Office technology questions

Support

- > The Court's focus will be assisting you with CM/ECF related issues. You and your firm will be responsible for dealing with other technical issues.
- As a general rule, most technical problems are at the local workstation or local network. Therefore, in-house technical expertise should be contacted first.
- > The next point of contact should be the "in-house" ECF expert concerning other questions pertaining to ECF filings which might be based upon office procedures.
- The court should be contacted next if it's not a local technical question nor a question related to your office policy/procedure on ECF.

Password Management

One of the support items is to think about how a firm will manage passwords

> ECF Login(s)

- > 1 Login per attorney.
- > If you file in multiple districts, the attorney will have a login for each district (There is not a national login)
- > ECF logins are by attorney, not by firm. What procedures will be needed if an attorney leaves the firm.
 - > Are cases following the attorney?
 - > What cases will remain with the existing firm?
 - > E-mail addresses must be also changed
- Address changes can be done in CM/ECF but, per local rules, a change of address notification must also be filed by case.

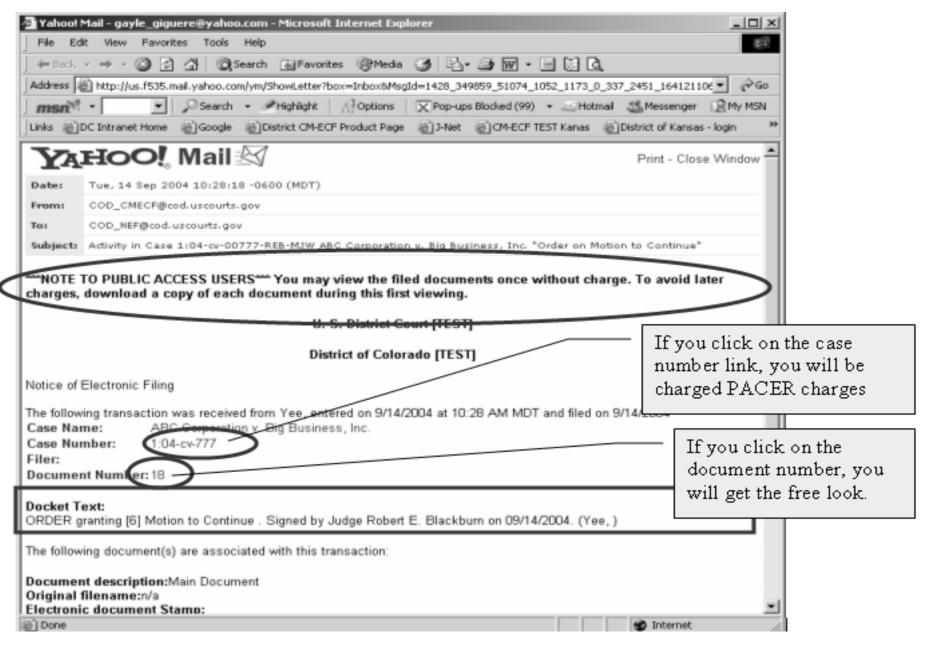
> PACER Login(s)

- > A law firm may have one login as simultaneous logins are allowed.
- ➤ A law firm may also have multiple PACER logins, if they so desire.
- What procedure are in place to change PACER passwords if an attorney leaves the firm?
- ➤ If cases follow the attorney, how are PACER charges handled for those cases?

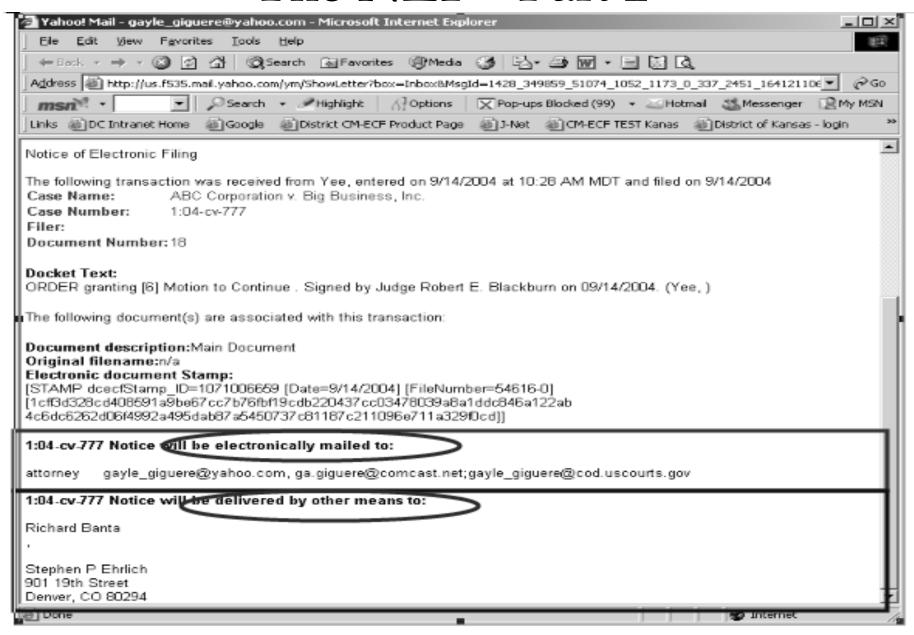
E-mail Management

- > Once you are registered for ECF, the Notice of Electronic Filing (NEF) e-mail messages will begin to come into your e-mail inbox. The e-mail messages provide:
 - Notification as to activity in the case.
 - Is considered "service" from the Court for items such as orders, etc.
 - > Provide the opportunity for your *free look* at the electronic document.
- > E-mail management items:
- ➤ Who should be receiving the NEF e-mail messages?
- > Where are you going to store the NEF e-mail messages?
- > Do you need to keep the NEF e-mail messages?
- ➤ Is there someone in the office that can set up "rules"/"filters" for your e-mail software?
- > How many e-mail addresses should be set up to receive the NEF?
- > Will you need to print each document?, If so, where will you file the hard copies?
- Will you need to save each electronic document? If so, where will you save the electronic document?
- > Do you have spam software installed that might prevent you from receiving the NEF?
- Do you need to add **COD_CMECF@cod.uscourts.gov** in your address book so ECF related e-mails won't be blocked. AOL is a prime example where you might need to do this. There may be others that will require this addition to the user's address book.

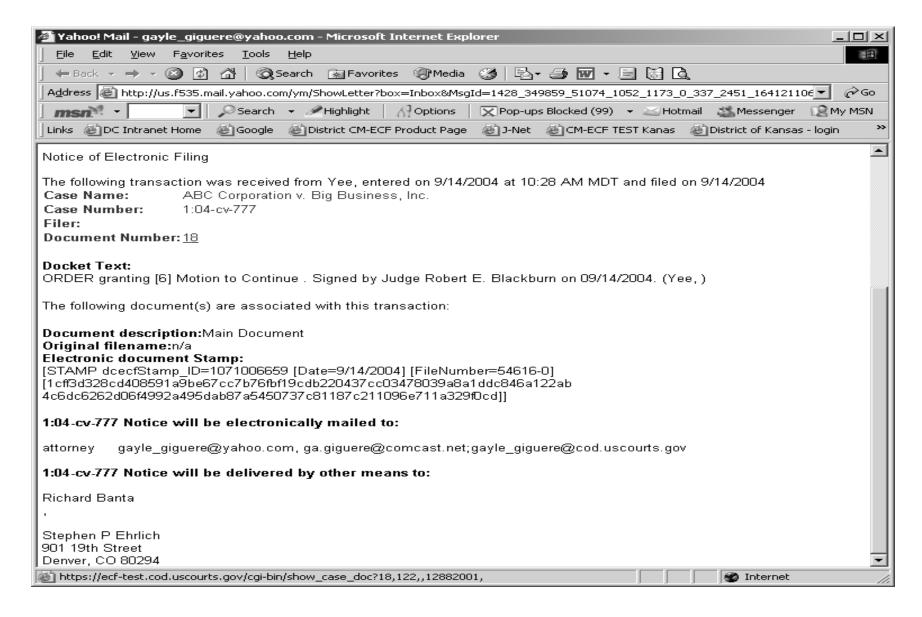
The NEF – Part 1



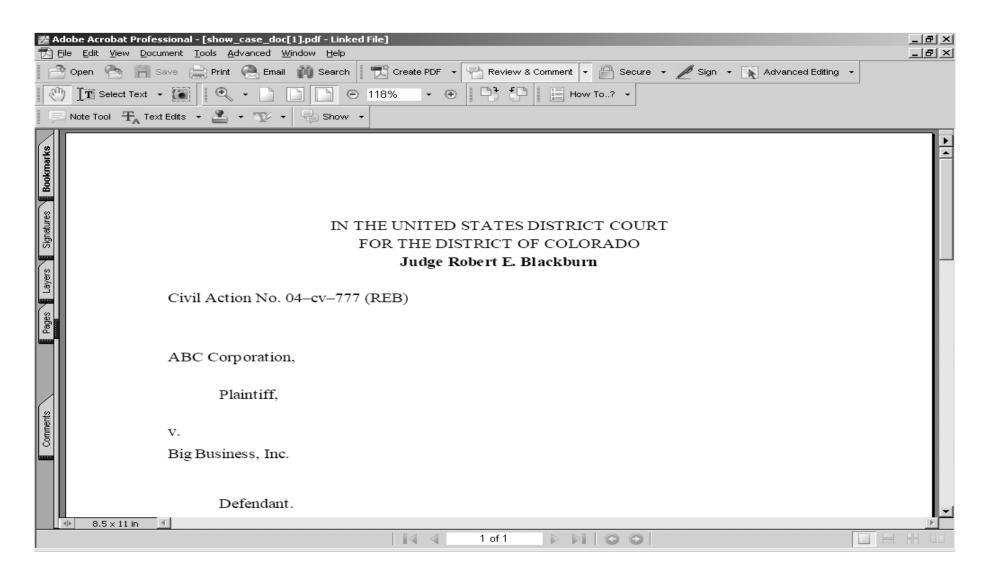
The NEF - Part 2



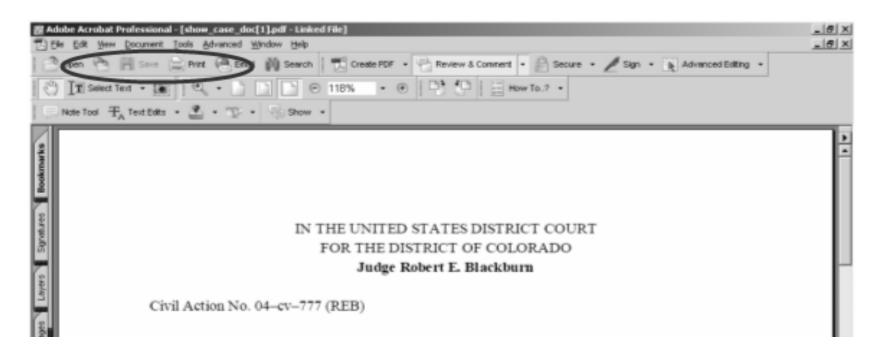
The Free Look



After Clicking on the Document No. Link, Adobe Reader opens the document.....

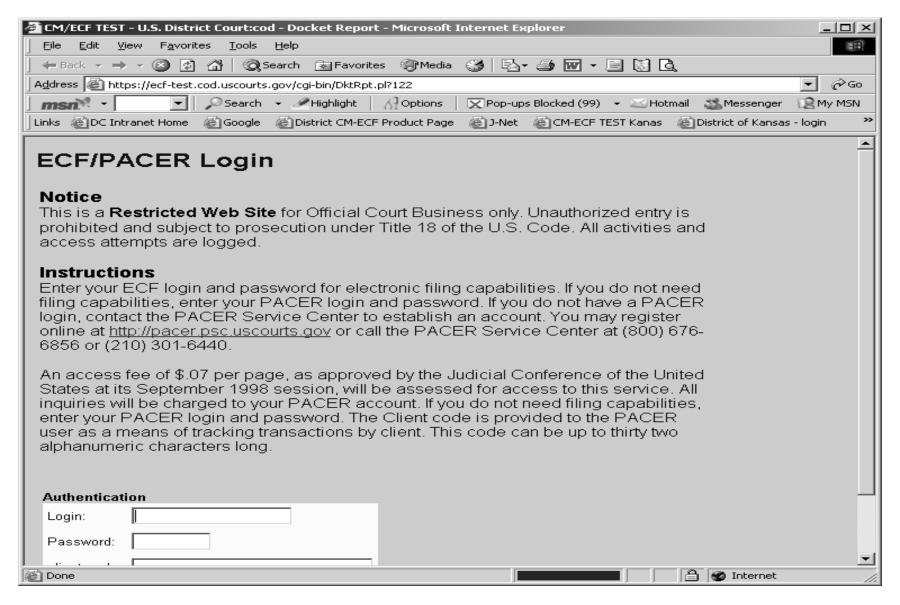


Printing/Saving the Document



When Adobe Reader opens with the document, you can save and/or print the PDF document. If you look again, you will be required to pay PACER charges.

When You Click on the Case Number Link.....



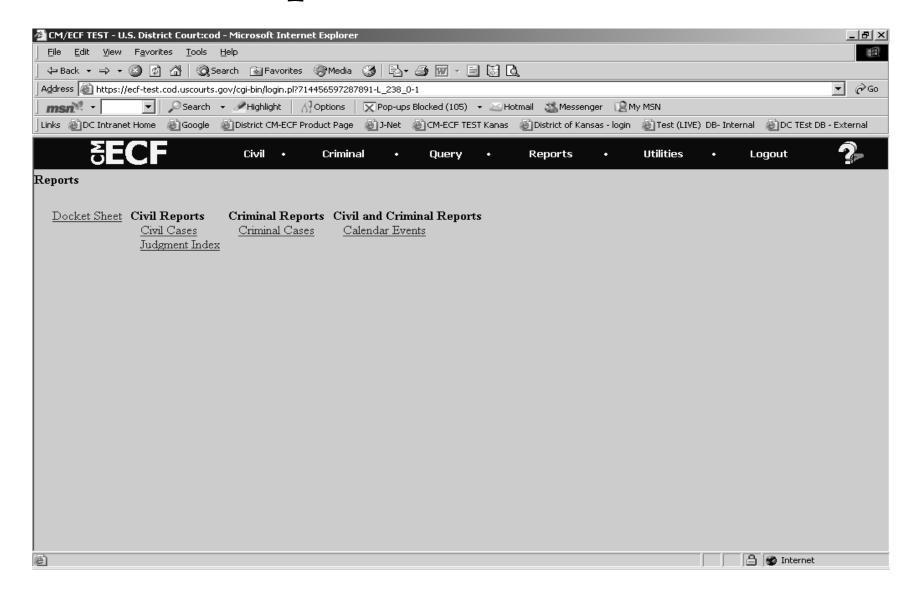
Speaking of PACER...

- After the "Free Look", future access to reports, queries, and some utility functions are accessed via PACER.
 - When you log on to CM/ECF and choose **Query, Reports**, or **Utilities**, you will need to enter your PACER account.
 - ➤ Depending on the selection in each of the categories, the PACER login screen will be displayed.



Let's Take a Look.....

Reports on PACER



When the Reports Category is Selected...

Reports

Reports

Docket Sheet Civil Reports

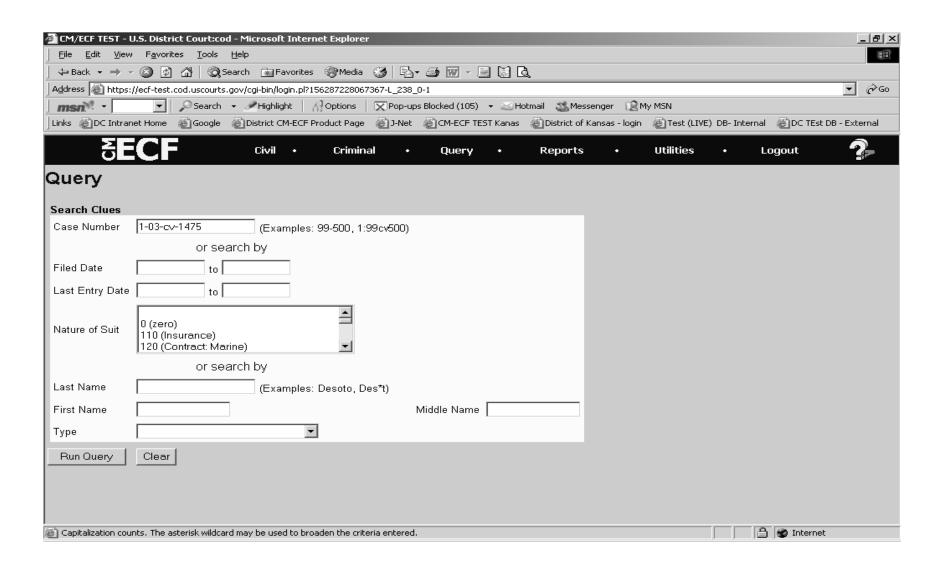
<u>Civil Cases</u> Judgment Index Criminal Reports
Criminal Cases

Civil and Criminal Reports

Calendar Events

| Report Option | Description | Pacer Login |
|---------------------------|--|-------------|
| Docket Sheet Report | Provides a docket sheet for a specific case. | Yes |
| Civil Cases Report | Provides a report of various types of civil cases. There are a number of selection criteria such as filed date range, closed and/or open cases, nature of suit, case flags, and cause codes. | Yes |
| Judgment Index Report | Provides a report of court ordered judgments. Selection criteria include case number, party name, or a date range. | Yes |
| Criminal Cases Report | Provides a report of various types of criminal cases. There are a number of selection criteria such as office, filed date range, defendant status, and case flags. | Yes |
| Calendar Events Report | Provides a court calendar listing of calendar items matching the selection criteria. The selection criteria include case number, judge, office, calendar event, date, and time. | No |

Queries on PACER

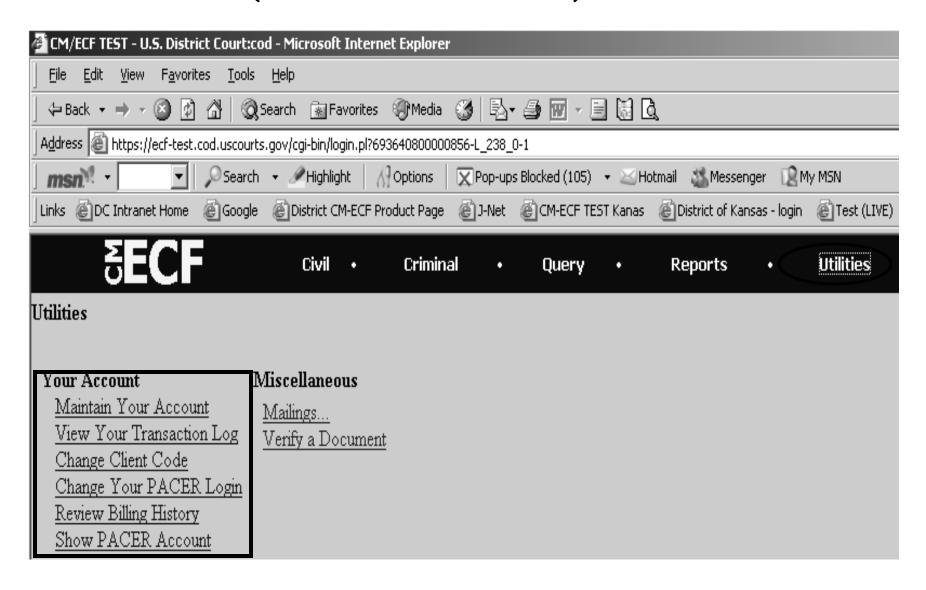


When the Query Category is Selected...

Query

| Query Option | Description | | |
|--------------------------|--|--|--|
| Case Number Query | When a case number is entered, all other selection criteria do not apply. The query searches only or the case number. When a case number is entered, another list of selections are available to view items such as aliases, associated cases, attorney, case summary, deadline/hearings, docket sheet, filers, history/documents, parties, and related transactions. The information is case specific. | | |
| Filed Date Query | When a filed date range is entered, a list of cases meeting the date range criteria is displayed back to the user. The Nature of Suit (multiple selections are allowed) can also be selected with the date range to show only cases filed in the date range having the Nature of suit selected. | | |
| Last Entry Date Query | When a last entry date range is entered, a list of cases meeting the date range criteria is displayed back to the user. The Nature of Suit (multiple selections are allowed) can also be selected with the date range to show only cases with last entries within the date range and meeting the Nature of Suit selections. | | |
| Nature of Suit Query | Secondary selection. This option does not stand alone. It's only used in conjunction with Filed Date, or Last Entry Date. If you try to run the query with just the Nature of Suit, a "No Search Criteria" message is displayed. | | |
| Name Query | Name query does not work with the other options. The query allows a user to enter the Last, First, or Middle names and select a party type. For example, if Smith is entered in the last name field and the party type of attorney is selected, a list is displayed of all attorneys having the last name Smith. If the party type of attorney was not selected, then all parties, including attorneys, with the last name f Smith is displayed. Provides a court calendar listing of calendar items matching the selection criteria. | | |

Utilities (Your Account) on PACER



Utilities (Your Account) on PACER

Utilities

Your Account

Maintain Your Account
View Your Transaction Log

Change Your PACER Login

Review Billing History
Show PACER Account

Change Client Code

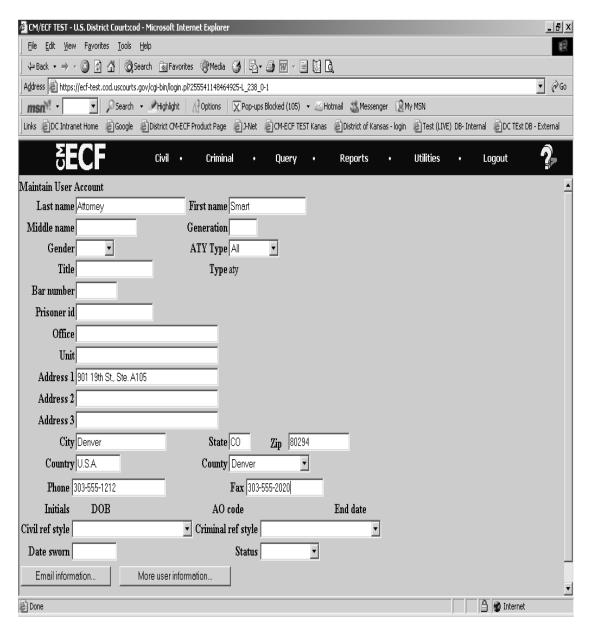
${f Miscellaneous}$

Legal Research ... Mailings...

Verify a Document

| Maintain Your Account | Allows the logged on person to change name, e-mail, password, and phone number information. | |
|------------------------------|---|--|
| View Your Transaction Log | Displays details of all transactions (docketing) the current user has entered in CM/ECF for a specified time period. | |
| Change client Code | Allows entry of a new client code. This client code can be used by the PACER user for their billing/tracking purposes/ | |
| Change Your PACER Login | Displays a new PACER Login screen so a different PACER account can be used | |
| Review Billing History | Displays the number of CM/ECF pages accessed and charges incurred for the currently logged in PACER account. If a client code is entered, the charges are totaled for each client code. | |
| Show PACER Account | Displays the current PACER login and client code. | |

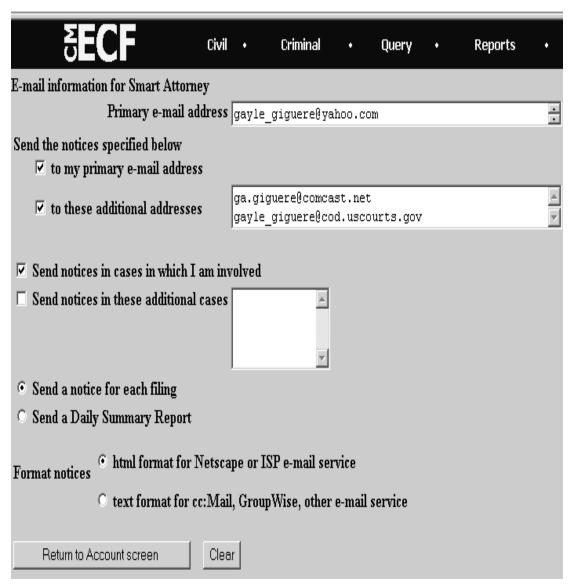
Maintain Your Account – Part 1



- Maintain Your Account allows for changes to:
 - > Name
 - > Address
 - > Bar Id
 - > Phone Numbers

Maintain Your Account – Part 2

Email information...

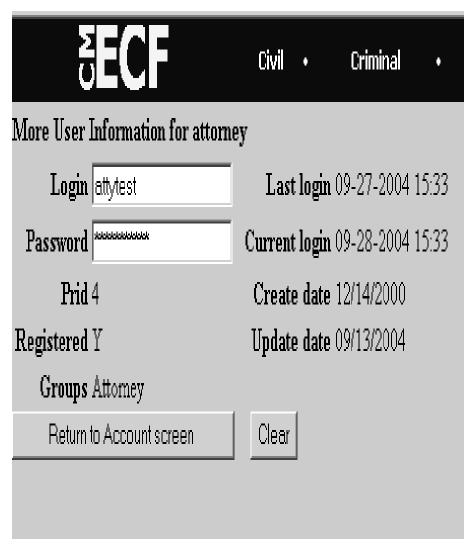


Email information...

- Allows user to add or change email information.
- ➤ The number of secondary e-mail addresses cannot exceed 255 total characters.
- > A user can add specific cases to be notified on.
- Select single e-mail or a daily summary
- Select the type of e-mail format

Maintain Your Account – Part 2

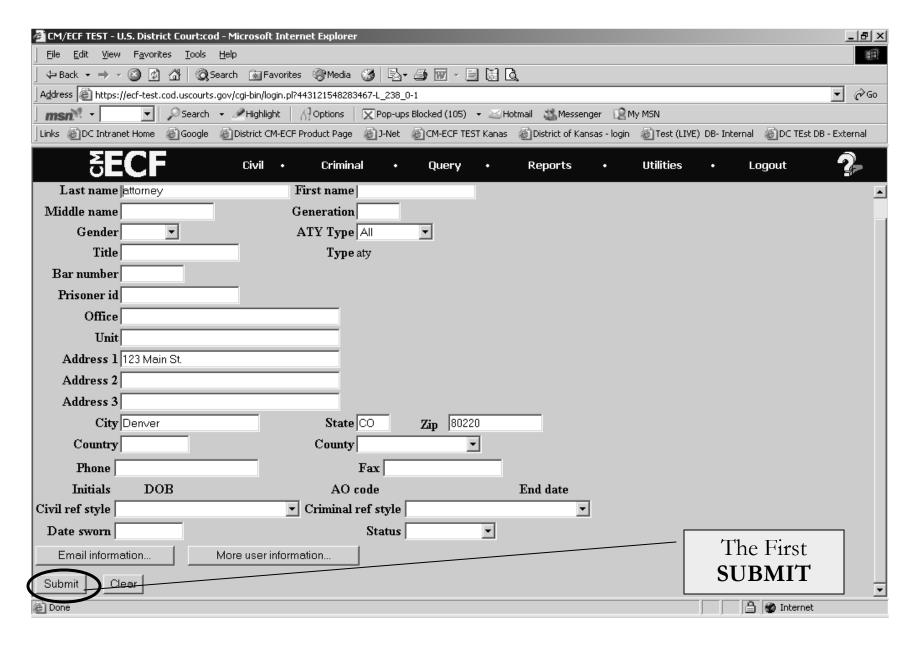
More user information...



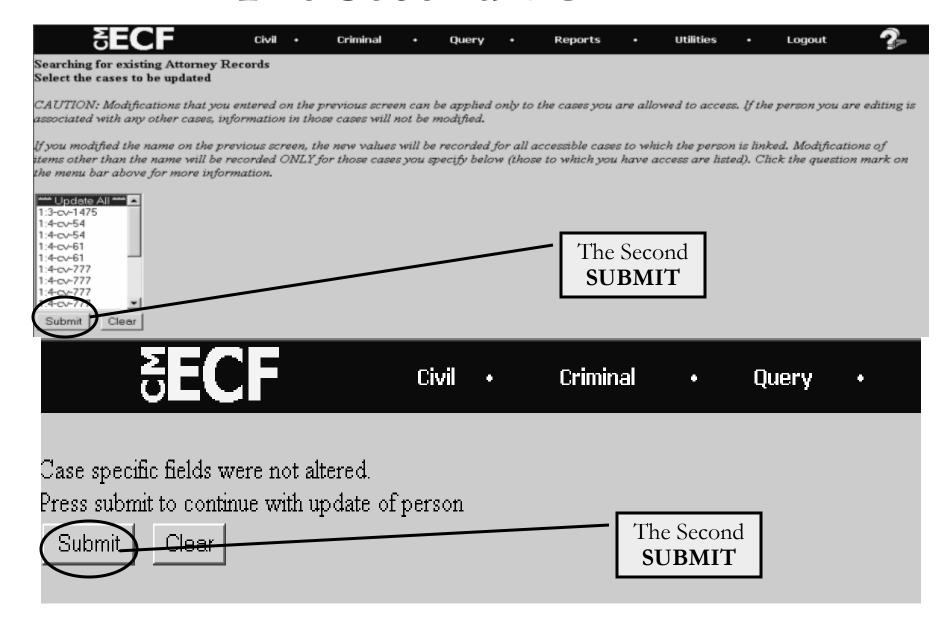
More user information...

- Allows you to modify the Login – BUT DON'T
- Allows you to enter a new password.
 - > The asterisks mask the old password.
 - When a new password is entered, it is **NOT** masked.
- Click on the Return to
 Account screen button.

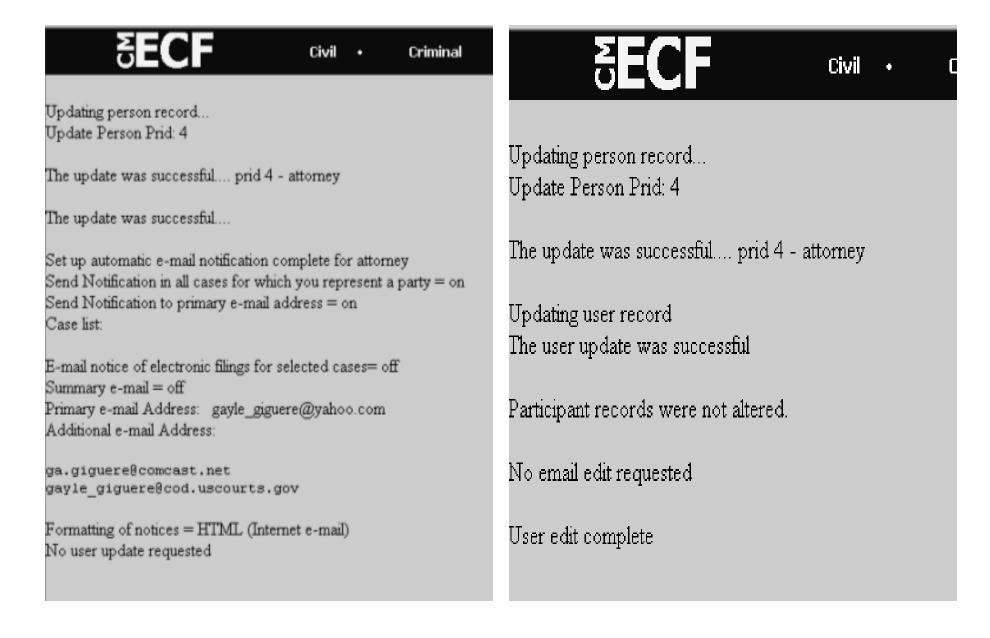
The TWO SUBMITs



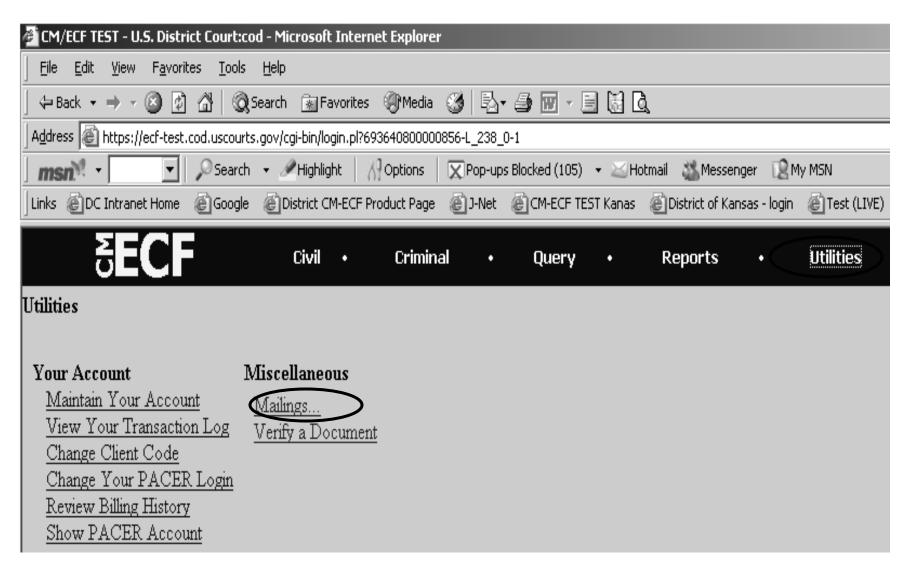
The Second **SUBMIT**



You MUST Get One of These Screens



Utilities (Mailings) on PACER

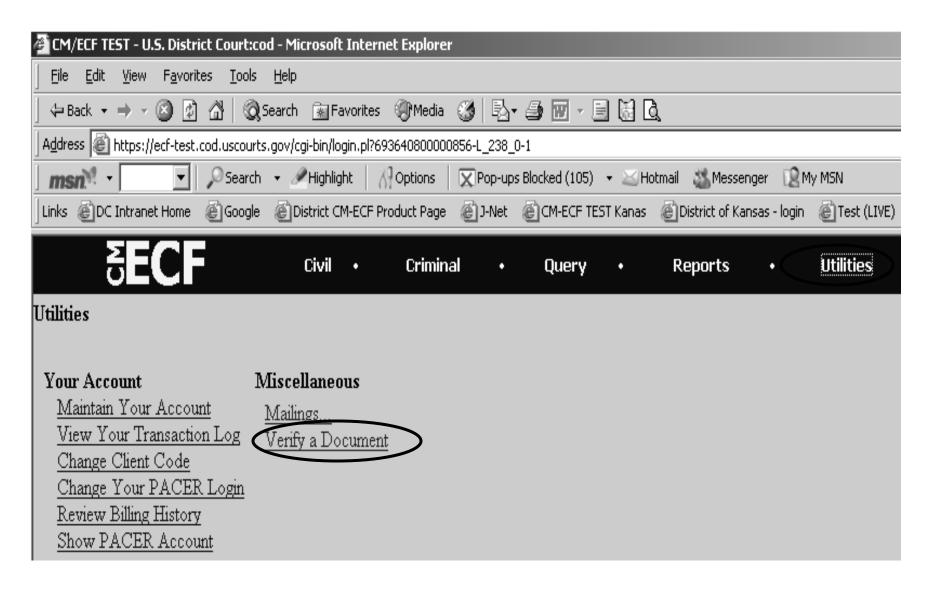


Under Utilities > Mailings...

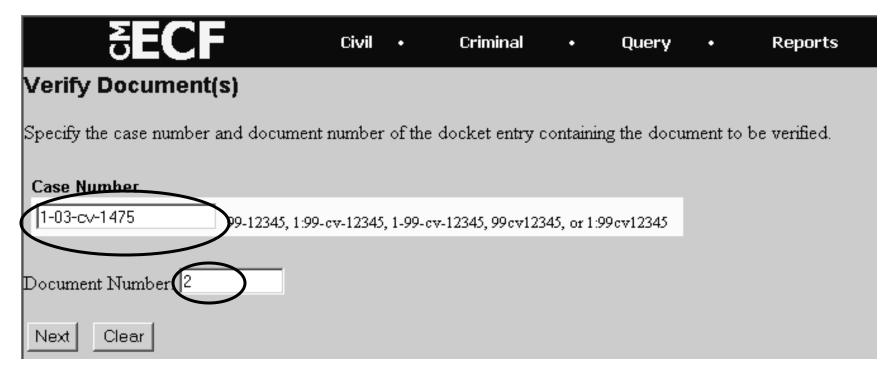
Mail Notification Requests Mail Info for a Case Mailing Labels by Case

| Mailings | Description | PACER Login |
|---------------------------------|--|-------------|
| Mail Notification Request | Lists information for one or more people who have requested e-mail notification. If the (blank) option from the list, all records with e-mail set up is displayed. | Yes |
| Mailing Info for a Case | For a single case , displays a list of those who receive email notices and those who require manual noticing. | Yes |
| Mailing Labels by Case | Displays name/address data in a label format for a single case . To print labels, you must use the browser's print function, or copy the screen contents into a word processor. | No |

Utilities > (Verify a Document) on PACER

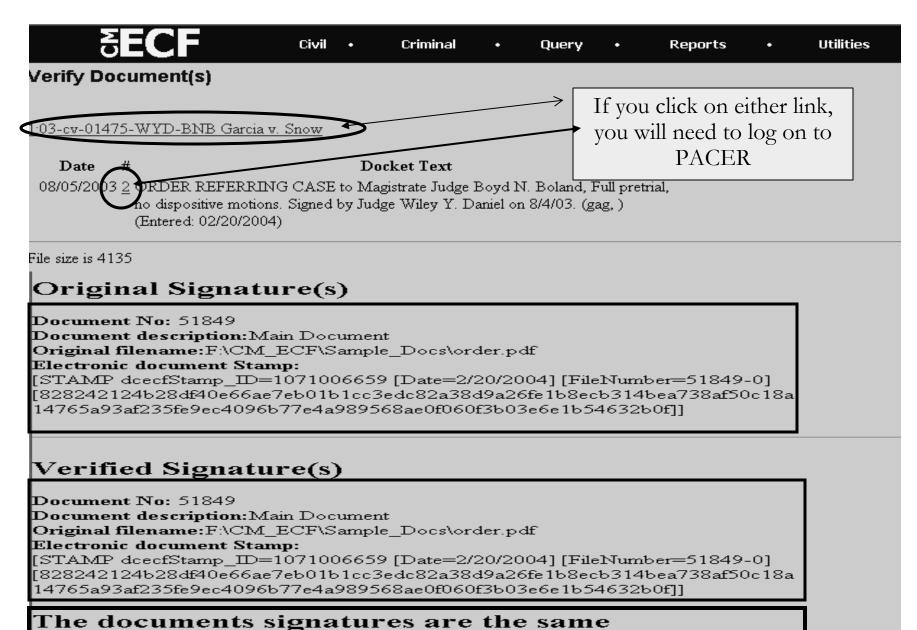


Utilities > (Verify a Document) on PACER



Verify a Verifies that the "electronic" signature of a document document is the same as when the document was filed.

When You Click on Next...



>Questions?????